

STATE OF SOUTH DAKOTA
THIRD JUDICIAL CIRCUIT COURT
314 Sixth Avenue, Brookings, South Dakota 57006

RODNEY J. STEELE
Presiding Judge
(605) 688-4202

PATRICIA GARCIA DUGGAN
Administrator
(605) 688-4621

Counties
*Beadle, Brookings, Clark
Codington, Deuel, Grant
Hamlin, Hand, Jerauld
Kingsbury, Lake, Miner
Moody and Sanborn*

THIRD CIRCUIT POLICY – 04-04-P

Court Appointed Attorneys Fees: Billings and Appeals

There is a statewide policy establishing fees for Court-Appointed Attorneys (as previously published in the June 2001 issue of the Sate Bar Newsletter). These fees are subject to an annual cost of living increase tied to the amount state employees receive each year from the legislature.

Furthermore, it is the policy of the Third Circuit that:

1. **BILLS.** Billing statements and vouchers for court-appointed attorney fees must be submitted to the court within thirty (30) days of completion of the case. This is to benefit defendants in expeditiously determining what is owed so that repayment can be made in a timely manner. Billing statements and vouchers not submitted within 30 days may be subject to denial by the court.
2. **INTERIM BILLINGS.** Interim billings for court-appointed attorney fees are allowed, to eliminate the submission of large bills to a county for expenses incurred, especially from a different fiscal year, or to prevent confusion due to the changing of rates set by the Supreme Court.
3. **STANDARD OF REVIEW.** Appeals by attorneys to the Third Circuit judges regarding cuts in court-appointed attorney fees shall be reviewed under an abuse of discretion standard.

Dated this 22nd day of February, 2008.

David R. Gienapp
Presiding Judge
Third Judicial Circuit

Adopted 10/97
Affirmed 2/04
REV 02/08 (to allow interim billings)